



Our File No.: MSX 302RI

SUPPLEMENTAL DECLARATION FOR PATENT APPLICATION
English Language Declaration

As a below-named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

Neither the patent underlying the present reissue application, U.S. 5,819,950, nor the present application, is assigned to any entity.

I believe that I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled: PORTABLE TROMMEL

the specification of which

 X was filed on October 12, 2000 as U.S. Patent Application Serial No. 09/687,828 and was amended on January 8, 2004, October 21, 2004, May 24, 2005, September 29, 2005, July 31, 2006, and April 6, 2007.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56, including, for continuation-in-part applications, material information that became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I believe original U.S. Patent No. 5,819,950 to be partially inoperative or invalid by reason of the patentee claiming more or less than the patentee had the right to claim in the patent. At least one error being relied upon to support the reissue application is the failure to appreciate the full scope of the invention as to the stockpiling conveyor. The issued patent includes claims covering the stockpiling conveyor that are too narrow, and I believe I had the right to include broader claims directed more specifically to the stockpiling conveyor. An example of narrowly claiming the stockpiling conveyor is shown in original independent claim 1 which recites that in the retracted position the "first upper part extends over the chassis." Such a limitation is not necessary to distinguish the invention from the prior art.

These statements of error are not intended to identify all such errors, but are intended to state at least one error being relied upon as the basis for reissue.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f) or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application that designated at least one country other than the United States of America, listed below, and also have identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Our File No.: MSX 302R1

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Claimed?	Certified Copy Attached?

DIRECT COMMUNICATIONS TO:

Peter E. Heuser

Kolisch Hartwell, P.C.

200 Pacific Building

520 S.W. Yamhill Street

Portland, Oregon 97204

Telephone: (503) 224-6655

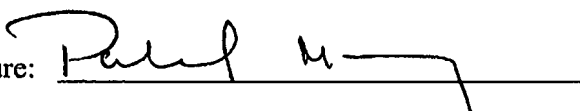
Facsimile: (503) 295-6679

Email: heuser@khpatent.com

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon. All errors in the present reissue application up to the time of signing of this oath/declaration, or errors which are being corrected by a paper filed concurrently with this oath/declaration which correction of errors I have reviewed, arose without any deceptive intention on the part of the applicant. Corrections of errors made in all previous papers filed in this reissue application, or errors corrected by a paper filed with this oath/declaration, were made without deceptive intent on the part of the applicant."

Full name of sole or first joint inventor: James Paschal McCloskey

Inventor's signature:



Date: 22-10-2007

Residence: 403 Frankcom Street
Ajax, Ontario L1S 1R4

Citizenship: Canada

Post Office Address: 403 Frankcom Street
Ajax, Ontario L1S 1R4